

Department of Permits Approvals and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Robin R Runner

Respondent

Civil Citation No. 90910

226 Patapsco Avenue

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 27, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-305, 307, failure to maintain premises in a rat-free condition and to eliminate rat harborages; section 13-4-201 (b)(d), failure to store waste in rodent resistant watertight containers with tight fitting lids on residential property.

On April 13, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector David Gaine issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$4,500.00 (four thousand five hundred dollars).

The following persons appeared for the Hearing and testified: Robin R. Runner, Respondent and David Gaine, Baltimore County Code Enforcement Officer.

Testimony revealed that, upon a referral complaint from the Department of Social Services, an inspection of the subject property was carried out on 3/30/11. The inspector noted considerable junk, trash, debris and bags of refuse on the porch of the property. A Correction Notice was issued. On 4/7/11 a re-inspection revealed no improvement and a Citation was issued. The Respondent later called the inspector, asking to postpone the hearing scheduled as the property had been cleaned up. Nonetheless, a pre-hearing inspection on 4/26/11 revealed that little or nothing had changed on the property.

The Respondent testified that he suffered from depression since 2005 and suffered from a hoarding syndrome. He had been under the care of a psychiatrist beginning in 2008, but lost his job at Aberdeen Proving Grounds in 2009. He has since been referred to Social Services, although his interaction with them seems to be sporadic at best. He was previously on an anti-depressant and upon receiving a referral from Social Services, will probably return to them.

This property clearly needs intervention to clean it up, establish an acceptable base line, and then require maintenance of the owner. The cost of County intervention will, of course, be borne by the property owner.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars) and is SUSPENDED.

IT IS FURTHER ORDERED that Baltimore County immediately send a contractor onto the property for the purposes of removing all waste, debris, garbage, and to bring the said property into compliance with all applicable code requirements.

IT IS FURTHER ORDERED that the suspended fine will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 4th day of May 2011

Signed: Original Signed 5/4/11
Lawrence M Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

LMS/jaf